

MAR 19 2007

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To: Examiner Tuan Van Nguyen
Art Unit: 3731

From: Thomas Spinelli, Esq.
Registration No.: 39,533

Fax: 571-273-8300

Pages: 7

Phone: 571-272-4963

Date: March 19, 2007

Re: USSN: 10/670,029
Our Docket: 17053

CC:

RESPONSE TO RESTRICTION REQUIREMENT

The following is being filed with the U.S. Patent and Trademark Office via facsimile on March 19, 2007:

1. Response to Restriction Requirement W/Transmittal in Duplicate
2. Certificate of Transmission Under 37 CFR 1.8

Applicant: Takayuki Suzuki
Serial No.: 10/670,029
For: MEDICAL INSTRUMENT
Filed: September 24, 2003
Docket: 17053
Dated: March 19, 2007
TS:cm

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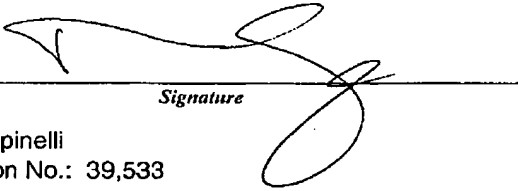
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TRANSMITTAL LETTER (General - Patent Pending)				Docket No. 17053	
In Re Application Of: Takayuki Suzuki					
Application No. 10/670,029	Filing Date September 24, 2003	Examiner Tuan Van Nguyen	Customer No. 23389	Group Art Unit 3731	Confirmation No. 4550
Title: MEDICAL INSTRUMENT					
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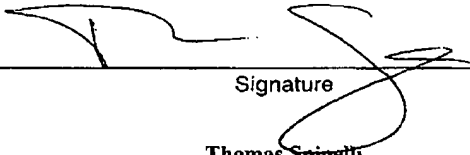
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Thomas Spinelli Registration No.: 39,533			Dated: March 19, 2007										
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Applicant:	Takayuki Suzuki	Examiner:	Tuan Van Nguyen
Serial No:	10/670,029	Art Unit:	3731
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For:	MEDICAL INSTRUMENT	Dated:	March 19, 2007
Conf. No.:	4550		

Commissioner for Patents
P.O. Box 1450
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RESPONSE TO SPECIES ELECTION

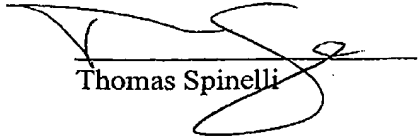
Sir:

Pursuant to the election requirement imposed in the Official Action dated January 17, 2007, Applicant elects the claims of Species I, i.e., claims 6 and 7 for continued prosecution herein along with generic claims 1 and 10.

CERTIFICATION OF FACSIMILE TRANSMISSION

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Dated: March 19, 2007



Thomas Spinelli

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Claims 1-15 are present in the above-captioned application and have been subjected to a species election under 35 U.S.C. § 121. Specifically, the Official Action avers that the following patentably distinct species of the claimed invention are present in the claims:

Species I, characterized by Figures 3A-4D; and

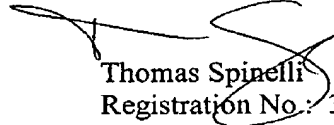
Species II, characterized by Figures 15A-16D.

It is the Examiner's position that the species listed as Species I-II are patentably distinct from each other.

In response to the Examiner's requirement for species election, Applicant elects to prosecute the subject matter of Species I, claims 6 and 7 along with generic claims 1 and 10. However, Applicant reserves the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,



Thomas Spinelli
Registration No. 39,533

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